

APR. 3. 2008 10:10AM

OBLON SPIVAK

NO. 260 P. 1

40 years
1968-2008

April 3, 2008



ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of March 2008. Please review the highlighted charge on Serial Number 10/726,546, in the amount of \$1,150.00 on fee code numbers 1201 and 1202.

These charges are in error as the Office used incorrect figures for the Highest Number of Previously Paid for Claims when calculating the fees associated with the February 19, 2008 Amendment. On November 11, 2005 our credit card was charge \$2,500.00 for 26 Additional Total Claims and 6 Additional Independent Claims, but these figures were not included on the February 2008 Fee Sheet.

Please review this application and kindly refund \$1,150.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Scott Lohr

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

PAGE 1/6 * RCVD AT 4/3/2008 10:10:28 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-4/18 * DNIS:2736500 * CSID:703 413 2220 * DURATION (mm-ss):03-18


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MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return the top portion with your check. Make check payable to 'Director of the USPTO'

NORMAN F. OBLON

1940 DUKE STREET

ALEXANDRIA, VA 22314

Account No.	15003071
Date	03-2008

PLEASE SEND REMITTANCES TO:

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St. Louis, MO 63179-9080

Call the Deposit Account Branch at 571-272-6500 for assistance.

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

Account Number: 150030

MONTHLY STATEMENT OF DEBIT ACCOUNT								
DATE POSTED			DESCRIPTION	DEBIT NO.	FEE CODE	CHARGES	BALANCE	
MO	DAY	YR	(Serial, Patent, etc.)	(Patent, etc.)		(CREDITS)		
03	03	08	10573854		286741US0PCT	1817	\$130.00	\$38,181.71
03	03	08	10548765		278061US90PCT	1681	\$-750.00	\$38,801.71
03	03	08	10548755		278061US90PCT	1815	\$-3,550.00	\$40,451.71
03	03	08	10548755		278061US90PCT	1815	\$5,750.00	\$34,701.71
03	03	08	10548755		278061US90PCT	1681	\$500.00	\$34,201.71
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03	03	08	60912188		323220EP	8007	\$20.00	\$34,161.71
03	03	08	0040870063		266560US/KQU	8014	\$25.00	\$34,136.71
03	03	08	0047890290		266560US/KQU	8014	\$25.00	\$34,111.71
03	03	08	0084810298		266560US/KQU	8014	\$25.00	\$34,086.71
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03	03	08	10488940		250382US0X PCT	1808	\$-180.00	\$34,216.71
03	03	08	10814812		240048US2RD	1251	\$-120.00	\$34,336.71
03	03	08	5056919		266560US/KQU	8013	\$25.00	\$34,311.71
03	03	08	4766438		266580US/KQU	8013	\$25.00	\$34,286.71
03	03	08	11829764		MI 6190 (US)	1616	\$360.00	\$33,926.71
03	03	08	11828784		300291US0PCT	1615	\$300.00	\$33,626.71
03	04	08	3383707			8504	\$120.00	\$33,506.71
03	04	08	10802784		249958US2S DV	1501	\$40.00	\$33,466.71
03	04	08	11969606		316603US/KQU	8007	\$20.00	\$33,446.71
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03	04	08	10805207		250625US6	1251	\$120.00	\$32,886.71
03	04	08	78887108			8507	\$15.00	\$32,871.71
03	04	08	90008042		283783US6RX	1463	\$80.00	\$32,791.71
03	05	08	11192047		276243US26CIP	1202	\$150.00	\$32,641.71
03	05	08	10728548		245855US0CIP	1201	\$1,050.00	\$31,591.71

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OBLON SPIVAK

NO. 260 P. 3



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MONTHLY STATEMENT OF DEPOSIT ACCOUNT

Account Number: 150030

DATE POSTED	DESCRIPTION	DEPOSIT NO.	FEES	DEBIT	CREDIT	BALANCE
MO	DAY	YEAR	Serial Patent No. / Office	Serial Patent No. / Office	CODE	AMOUNT
03	05	08	10726546	245855US0CIP	1201	\$100.00
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03	05	08	60911390	307199US/KQU	8007	\$20.00
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03	06	08	10849912	253541US0X CONT	1201	\$-420.00
03	08	08	11131108	4366-240	1814	\$-130.00
03	08	08	11398591	289347US2	1251	\$120.00
03	10	08	11818138	312530US2PCT	1681	\$250.00
03	10	08	4891647	288580US/KQU	8013	\$25.00
03	11	08	10585567	283569US0PCT	1601	\$1,440.00
03	11	08	10585567	283569US0PCT	1604	\$300.00
03	11	08	11822204	300371JP	8007	\$20.00
03	11	08	12034193	317028US40CONT	1081	\$260.00
03	11	08	11245126	278435US90	1202	\$50.00
03	12	08	11658084	301182US0PCT	1661	\$250.00
03	12	08	1762936		8504	\$30.00
03	12	08	2082351		8504	\$30.00
03	12	08	2236979		8504	\$30.00
03	12	08	836136		8504	\$30.00
03	12	08	2366977		8504	\$30.00
03	12	08	11508340	295489US0CONT	1402	\$510.00
03	12	08	61014465	319798US/KQU	8007	\$60.00
03	13	08	11756111	308975	8007	\$100.00
03	13	08	11565325	299177US8 DIV	1111	\$500.00
03	13	08	11849786	318388US/KQU	8007	\$20.00
03	13	08	60894820	305419US/KQU	8007	\$20.00
03	13	08	08681778		8008	\$200.00
03	13	08	08681778		8024	\$40.00
03	13	08	11230885	278628US90	1806	\$180.00
03	13	08	10600658	238266US3	1402	\$510.00
03	14	08	11722637	310913US2PCT	1614	\$200.00
03	14	08	12042176	323284US6	1203	\$370.00
03	14	08	7341938	239235AU	8013	\$25.00
03	17	08	11813138	310754US0PCT	1615	\$400.00
03	17	08	60911318	307181US/KQU	8007	\$40.00
03	17	08	60912989	307681US/KQU	8007	\$40.00
03	17	08	60887815	302689US/KQU	8007	\$40.00
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03	17	08	11176622	274948US0	1806	\$-180.00
03	17	08	11028453	263180US0	1806	\$-180.00
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03	18	08	61013680	319797US/KQU	8007	\$140.00
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03	18	08	61013680	319797US/KQU	8007	\$140.00
03	18	08	12028528	321869US2	1203	\$370.00

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OBLON SPIVAK

NO. 260

P. 4



DOCKET NO: 245855US0CIP

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

PAOLO CHIESI ET AL

: ATTN: APPLICATIONS DIVISION

SERIAL NO: 10/726,546 :

FILED: DECEMBER 4, 2003 :

FOR: PHARMACEUTICAL COMPOSITIONS CONTAINING AN EFFERVESCENT
ACID-BASE COUPLE

PRELIMINARY AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313-1450

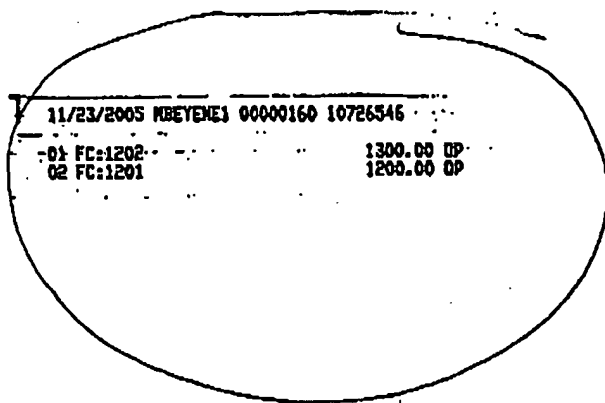
SIR:

Prior to examination on the merits, please amend the above-identified application as follows:

Amendments to the Specification begins on page 2 of this response.

Amendments to the Claims begins on page 3 of this response.

Remarks begin on page 11 of this response.



11/23/2005 RECEIVED 00000160 10726546

01 FC:1202
02 FC:1201

1300.00 DP
1200.00 DP

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OBLON SPIVAK

NO. 260 P. 5

Docket No. 245855US0CIP

IN RE APPLICATION OF: Paolo CHIESI, et al.

SERIAL NO: 10/726,546

FILED: December 4, 2003

FOR: PHARMACEUTICAL COMPOSITIONS CONTAINING AN EFFERVESCENT ACID-BASE COUPLE



*RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 1.1.8

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Request for Extension of Time (one month)
Terminal Disclaimer (executed by Attorney of Record)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	41	MINUS	46	0	x \$50 =	\$0.00
INDEPENDENT	8	MINUS	9	0	x \$210 =	\$0.00
APPLICATION SIZE		MINUS	100	0 (each addtl. 50 sheets)	x \$260 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS					+ \$370 =	\$0.00
TOTAL OF ABOVE CALCULATIONS						\$0.00
<input type="checkbox"/> Reduction by 50% for filing by Small Entity						\$0.00
TOTAL						\$0.00

- ☐ A check in the amount of \$0.00 is attached.
- ☒ Credit card payment form is attached to cover the fees in the amount of \$250.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter
Registration No. 32,884

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Vincent K. Shier, Ph.D.
Registration No. 50,552

PTO/SB/06 (07-06)

Approved for use through 1/31/2007. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 10/726,546		Filing Date 12/04/2003		<input type="checkbox"/> To be Mailed	
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY <input type="checkbox"/> OR		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.18(a), (b), or (c))	N/A	N/A	N/A			N/A			
<input type="checkbox"/> SEARCH FEE (37 CFR 1.18(a), (f), or (g))	N/A	N/A	N/A			N/A			
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.18(e), (h), or (i))	N/A	N/A	N/A			N/A			
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR	X \$ =			
INDEPENDENT CLAIMS (37 CFR 1.16(j))	minus 3 =	*	X \$ =			X \$ =			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(k))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(e).								
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(l))									
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL			
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT	02/19/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	43	Minus	41	= 2	X \$ =		OR	X \$50 =	100
Independent (37 CFR 1.16(j))	8	Minus	3	= 5	X \$ =		OR	X \$210 =	1050
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(k))							OR		
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(l))									
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	1150
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
Independent (37 CFR 1.16(j))	*	Minus	***	=	X \$ =		OR	X \$ =	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(k))							OR		
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(l))									
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>									

Legal Instrument Examiner:
/MOLIKI I. MAY/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Document code: WFEE

United States Patent and Trademark Office
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02 FC:1202 100.00 DA

Adjustment date: 04/15/2008 HGBRRN1
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01 FC:1201 1050.00 CR
02 FC:1202 100.00 CR